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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/992,867	11/14/2001	Arash Esmailzadeh	ESMAI.001A	5990
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20995 7590 03/24/2006

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EXAMINER
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MISIASZEK, MICHAEL

ART UNIT	PAPER NUMBER
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3625

DATE MAILED: 03/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/992,867	<b>Applicant(s)</b> ESMAILZADEH, ARASH	
	<b>Examiner</b> Michael Misiaszek	<b>Art Unit</b> 3625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 16 January 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) 1-20 and 28-41 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 21-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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**DETAILED ACTION*****Election/Restrictions***

Applicant's election with traverse of group V, claims 21-27, in the reply filed on 1/16/2006 is acknowledged. The traversal is on the ground(s) that it would not be a serious burden to examine all claims. This is not found persuasive because the examination of all claims would include examination of eight independent groups of claims, classified in three separate classes. This would create unnecessary burden for the examiner, as each group would necessitate a different field of search. A different field of search is one where it is necessary to search for one of the inventions in a manner that is not likely to result in finding art pertinent to the other invention(s) (e.g., searching different classes /subclasses or electronic resources, or employing different search queries). (MPEP 808.02)

The requirement is still deemed proper and is therefore made FINAL.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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**1. Claims 21, 22, 24, 25, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Howes et al. (US 20010053949 A1, hereinafter Howes) in view of Brown (US 6678273 B1).**

Regarding Claim 21

Howes discloses a method of encrypting and correlating data comprising:

- receiving a first part number from a first user on a parts management system (at least paragraph [0027]: system receives part number to be used in unique part identifier)
- encoding the first part number on the parts management system to create a second part number (at least paragraph [0027]: part number encoded via encoded symbology to create unique part identifier)
- storing the first and second part numbers in an information database (at least paragraphs [0040], [0041], and figure 5: numbers stored in database to be retrieved by tracking system)
- receiving the second part number at the parts management system from the third user (at least paragraph [0217] and figure 5: manufacturer logs into system to retrieve part information)
- decoding the second part number provided by the third user on the parts management system to receive the first part number (at least paragraph [0217] and figure 5: manufacturer logs into system to retrieve part number from unique part identifier)

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- providing the first part number to the third user (at least paragraph [0217] and figure 5: manufacturer logs into system to retrieve part information)

Howes does not disclose:

- providing the second part number to a second user who provides the second part number to a third user via a representative;

Brown teaches that it is known to include providing data to a user through intermediaries (at least claim 8) in a similar environment. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the method of encrypting and correlating data, as taught by Howes, with the providing data through an intermediary, as taught by Brown, since such a modification would have provided a communications network that would help reduce the actual cost of the physical connections and in which connections to various service providers can be provided in a timely manner (at least column 1, lines 38-45 of Brown).

Regarding Claims 22, 24, 25, 27

Howes discloses:

- the first user is one of an architect, a parts specifier, and a project owner (at least paragraph [0023]: part number specified by parts specifier)
- the third user is a manufacturer (at least paragraph [0217] and figure 5: manufacturer logs into system to retrieve part information)

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- the first part number is a manufacturer model part number (at least figure 5: part number)
- receiving a project identifier, wherein the second part number contains project identifier information (at least figure 5: last action)

**2. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Howes in view of Brown, as applied to claims 21, 22, 24, 25, 27 above, and further in view of Freeman (US 6950826 B1).**

The combination of Howes and Brown discloses the claimed invention except for:

- the second user is a contractor.

Freeman teaches that it is known to include a contractor who provides part numbers to others (at least column 8, lines 34-60: contractor provides part numbers to a manufacturer as part of an order) in a similar environment. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the method of encrypting and correlating data, as taught by Howes and Brown, with the contractor providing part numbers, as taught by Freeman, since such a modification would have provided a efficient means of procurement of materials and supplies by direct order (at least column 3, lines 10-21 of Freeman).

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**3. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Howes in view of Brown, as applied to claims 21, 22, 24, 25, 27 above, and further in view of Rauscher (US 20020183982 A1).**

The combination of Howes and Brown discloses the claimed invention except for:

- receiving a manufacturer name associated with the first part number.

Rauscher teaches that it is known to include receiving a manufacturer name along with a part number (at least paragraph [0044]) in a similar environment. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the method of encrypting and correlating data, as taught by Howes and Brown, with the receiving a manufacturer name along with a part number, as taught by Rauscher, since such a modification would have provided an effective and comprehensive model that can be used to better plan, build and manage infrastructures in the construction industry (at least paragraph [0006] of Rauscher).

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***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Misiaszek whose telephone number is (571) 272-6961. The examiner can normally be reached on 8:00 AM - 4:30 PM, Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rob Pond can be reached on (571) 272-6760. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Michael A. Misiaszek  
Patent Examiner  
3/17/2006